IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 17564 of 2004

Between:

N.Pedda Sunkanna S/o.Sunkanna
Tarimala Village, Singanamala Manal Ananthapur District.

... PETITIONER

AND

1 The Mandal Revenue Officer Singanamala Mandal, Ananthapur District.
2 The District Collector Ananthapur, Ananthapur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the 1st respondent in issuing proceedings in Rc.No.465/2003/b, dated 9-12-2003 as illegal, arbitrary and violative of Articles 14,21 of the Constitution of India and also being violative of express provisions enunciated under the A.P.Water Land and Tress Act 2002 (Act 10 of 2002).

Counsel for the Petitioner: MR. KUNCHEAMMAHESWARA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Against the impugned order passed by the Mandal Revenue Officer in Rc.No.465/2003/b dated 09-12-2003; petitioner filed an appeal to the second respondent dated 19-12-2003.

2. It is well settled that when a statutory appeal/revision is filed and is pending, a Writ Petition for the same relief cannot be entertained, except directing the appellate/revisional authority to dispose of the said appeal or revision within a time frame as held by the Apex Court ***(See 1995(1) SCC 642)***.

3. In view of the same, second respondent is hereby directed to dispose of the appeal, if any, filed by the petitioner within six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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A. **GOPAL REDDY, J**

November 8, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Mandal Revenue Officer Singanamala Mandal, Ananthapur District.
2 The District Collector Ananthapur, Ananthapur District.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

4 Two C.D. Copies.